
MINUTES OF THE PROCEEDINGS
REGULAR MEETING
OF THE
RETIREMENT BOARD OF THE POLICEMEN'S
ANNUITY & BENEFIT FUND
HELD
THURSDAY – JANUARY 29, 2015

The regular meeting of the Retirement Board of the Policemen's Annuity and Benefit Fund was held January 29, 2015, at 9:00 A.M. at the office of the Fund, 221 N. LaSalle Street, Room 1626, Chicago, Illinois for the consideration of applications and bills, and for other such matters that came before the Board. The contents of this meeting were transcribed by Esquire Communications, Ltd. Court Reporters and are made a part of the record.

PRESENT: Trustees Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

ABSENT: Scott 1.

PRESIDING: President and Trustee Kenneth Hauser.

Trustee Hauser called the meeting to order.

The first order of business was review and approval of motions made at the investment committee meeting held January 28, 2015. First is a motion to approve up to \$45 million to be liquated from the NTGI Russell Fund to fund the February benefits

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board approve the motion as presented.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

Next was a motion to approve a 4% allocation to Manulife Asset Management for fixed income strategy.

It was moved by Trustee Hamburger, seconded by Trustee Maloney that the Board approve the motion as presented.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

Last, was a motion to approve the addition of the following transition managers to the Fund's lineup: Loop Capital Markets, Northern Trust Investments and Penserra Capital Management.

It was moved by Trustee Hamburger, seconded by Trustee Avila that the Board approve the motion as presented.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

Next was the approval of the Minutes of the last regular meeting of the Retirement Board held December 19, 2014.

It was moved by Trustee Avila, seconded by Trustee Lappe that the Board approve the minutes from the regular meeting held December 19, 2014, as presented.

ROLL CALL

For: Avila, Hauser, Lappe, Maloney, Wright 5.

Absent: Scott, Summers 2.

Abstain: Hamburger 1.

Against: 0.

The President turned the meeting over to the recording secretary, Trustee Maloney.

The Board Recording Secretary conducted the agenda as follows:

MINUTES CONTINUED

January 29, 2015

Page 2.

PAGE NO. REFERENCE

1 - 6 Incurred Expenses for the Month of January 2015.

It was moved by Trustee Lappe, seconded by Trustee Avila that the Board approve the Obligations as detailed on pages 1 through 6.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

7 - 10 Refunds of Contributions; Withdrawal of Service, Widow's Annuity Accumulations and Exempt Rank.

It was moved by Trustee Hauser, seconded by Trustee Wright that the Board approve the Refunds as detailed on pages 7 through 10.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

11 - 12 Payment to Heirs of Deceased Annuitants

It was moved by Trustee Hauser, seconded by Trustee Lappe that the Board approve the Payment to Heirs of Deceased Annuitants as detailed on pages 11 and 12.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

13 Refund of Unused Annuity Accumulations

It was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board approve the Refund of Unused Annuity Accumulations as detailed on page 13.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

14 Refund of Contributions Received in Error

It was moved by Trustee Lappe, seconded by Trustee Wright that the Board approve the Refund as detailed on page 14.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

15 - 17 Annuities [Summary pg. 18]

It was moved by Trustee Hauser, seconded by Trustee Lappe that the Board approve the Annuities as detailed on pages 15 through 17.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

MINUTES CONTINUED

January 29, 2015

Page 3.

PAGE NO. REFERENCE

19 Annuities to Widows [Summary pg. 20]

It was moved by Trustee Avila, seconded by Trustee Wright that the Board approve the Annuities to Widows as detailed on page 19.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

21 Annuities to Children

It was moved by Trustee Lappe, seconded by Trustee Avila that the Board approve the Annuities to Children as detailed on page 21.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

20 Ordinary Disability Benefit Claims

a) **Higgs, Mark**

Based on the medical reports, it was moved by Trustee Hauser, seconded by Trustee Wright that the Board move to grant Officer Higgs ordinary disability benefits.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

23 - 24 Occupational/Duty Disability Benefit Claims

b) **Blackman, Duane T.**

*Based on the medical reports, it was moved by Trustee Lappe, seconded by Trustee Wright that the Board move to **defer** all benefits to the officer, pending a full evidentiary hearing.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

c) **Dolan, Christine M.**

Based on the medical reports, it was moved by Trustee Wright, seconded by Trustee Summers that the Board move to grant the officer, subject to a full evidentiary hearing, ordinary disability benefits without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if deemed warranted.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

MINUTES CONTINUED

January 29, 2015

Page 4.

PAGE NO. REFERENCE

23 - 24 **d) Howard, Keisha Y.**

Based on the medical reports, it was moved by Trustee Hauser, seconded by Trustee Wright that the Board move to grant the officer, subject to a full evidentiary hearing, ordinary disability benefits without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if deemed warranted.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

e) Kopterski, Colette L

*Based on the medical reports, it was moved by Trustee Lappe, seconded by Trustee Summers that the Board move to **defer** all benefits to the officer, pending a full evidentiary hearing.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

f) Ryle, Jennifer H. ♥

Based on the medical reports, it was moved by Trustee Hauser, seconded by Trustee Lappe that the Board move to grant Officer Ryle an occupational disease disability benefit.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

g) Zwolski, Mary L.

Based on the medical reports, it was moved by Trustee Wright, seconded by Trustee Summers that the Board move to grant the officer, subject to a full evidentiary hearing, ordinary disability benefits without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if deemed warranted.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

25 - 26 **Payments of Death Benefits [Summary pg. 27]**

It was moved by Trustee Hauser, seconded by Trustee Summers that the Board approve the Death Benefits as detailed on pages 25 and 26.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

MISCELLANEOUS

28 **PETITION FOR PENSION CREDIT FOR OTHER SERVICE WHILE ON
LEAVE OF ABSENCE**

Barnes, Gregory A.

After reviewing the petition and Statute, it was moved by Trustee Hamburger, seconded by Trustee Lappe, that the Board deny Officer Barnes petition as detailed on page 28.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

MINUTES CONTINUED

January 29, 2015

Page 5.

PAGE NO. REFERENCE

29 PETITION FOR PENSION CREDIT FOR MILITARY SERVICE WHILE ON
LEAVE OF ABSENCE

Keller, Jr., Richard C.

After lengthy review was conducted on this petition *it was moved by Trustee Wright, seconded by Trustee Summers, that the Board approve five years and 6 months of pension credit for this officer military service during his career as detailed on page 29.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

30 PETITION FOR PENSION CREDIT FOR OTHER SERVICE WHILE ON
LEAVE OF ABSENCE

Acevedo, Edward

After review and documentation verified on this petition *it was moved by Trustee Hauser, seconded by Trustee Wright, that the Board approve 696 days of pension credit for this officer for leave of absence period as detailed on page 30.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

31 PETITIONS FOR PENSION CREDIT FOR PRIOR COOK COUNTY
SERVICE UNDER 5-214 (C)

Documentation verified, it was moved by Trustee Hauser, seconded by Trustee Wright that the Board approve the prior Cook County service petition as detailed on page 31.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

32 PETITIONS FOR PENSION CREDIT FOR PRIOR MILITARY
SERVICE UNDER 5-214.3

Documentation verified, it was moved by Trustee Avila, seconded by Trustee Lappe that the Board approve the prior military service petitions as detailed on page 32.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

General Agenda completed The Board President Hauser called the hearings on the scheduled cases.

From prior hearings, the Board's attorney submitted an Order for review and approval.

MINUTES CONTINUED

January 29, 2015

Page 6.

*It was moved by Trustee Hamburger, seconded by Trustee Wright that the Board adopt the **Order** as written by Attorney Kugler on **Catherine (Dale) Bennett**, who was denied a compensation widow's annuity.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

The Board's attorney reviewed with the Trustees a matter of **Patrick Myers**, who was granted, subject to a full evidentiary hearing, ordinary disability benefits without prejudice. Officer Myers is withdrawing his claim for disability benefits. In light of the withdrawal of claim, the benefits currently being paid to him shall terminate at the end of February 2015; a letter will be directed to the Chicago Police Department Medical Section advising that there is no claim pending and the officer is seeking reinstatement to active duty.

It was moved by Trustee Lappe, seconded by Trustee Hauser, that the Board accept the disability claim withdrawal; terminate current benefits effective February 28, 2015; and forward confirmation of this Board action to the Police Department.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Avila that the Board go into executive session pursuant to 2 (c)(11) to discuss cases.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Wright that the Board exit the executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

HEARINGS

DISABILITY HEARINGS

DUTY DISABILITY STATUS REVIEWS

33

Benigno, Lisa

Lisa Benigno appeared before the Board, with counsel, on her duty disability benefit status review. After reviewing the recent medical reports submitted, video tapings and photos, hearing testimony from Lisa Benigno, her treating physician Dr. Close, Board's physician and Director O'Neill of the CPD Human Resources, *it was then moved by Trustee Hamburger, seconded by Trustee Lappe that based on the current medical evidence, the Board move to terminate Lisa Benigno's duty disability benefit effective February 28, 2015.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe 4.

Absent: Scott, Summers 2.

Against: Maloney, Wright 2.

MINUTES CONTINUED

January 29, 2015

Page 7.

34 **English, Declan**

Declan English appeared before the Board, with counsel, on his duty disability benefit status review. After reviewing the recent medical reports submitted, hearing testimony from Declan English, Board's physician and Director O'Neill of the CPD Human Resources, *it was then moved by Trustee Lappe, seconded by Trustee Hamburger that based on the current medical report, the Board move to terminate Declan English's duty disability benefit effective February 28, 2015.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

35 **Reid, Lynda**

Lynda Reid appeared before the Board, with counsel, on her duty disability benefit status review. After reviewing the recent medical reports submitted, hearing testimony from Officer Reid, the Board's physician and Sgt. Kemper from the Medical Section of the CPD, *it was moved by Trustee Wright, seconded by Trustee Lappe that based on the current medical report, the Board move to terminate Lynda Reid's duty disability benefit effective February 28, 2015.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Wright that the Board go into executive session pursuant to 2 (c)(11) to discuss cases.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

It was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board exit executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

36 **Whiteside, Perry**

Perry Whiteside appeared before the Board on his duty disability benefit status review. Recently retained Mr. Licari, attorney to be representing Perry Whiteside, requested a continuance in order to familiarize himself with this case and to have the requested FCE completed.

It was moved by Trustee Wright, seconded by Trustee Hamburger, that the Board grant a continuance to Perry Whiteside.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

MINUTES CONTINUED

January 29, 2015

Page 8.

DUTY DISABILITY CLAIMS

37

Antonacci, Kathleen

Kathleen Antonacci appeared before the Board, with counsel, on her claim for a duty disability benefit. After hearing testimony from claimant, Board's physician and reviewing the documents submitted *it was moved by Trustee Hamburger, seconded by Trustee Wright, that the Board grant a duty disability benefit to Kathleen Antonacci.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Wright that the Board grant the duty award at 50% of salary as defined in the Statute.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

37

Barrezueta, Andres

Andres Barrezueta appeared before the Board, with counsel, on his claim for a duty disability benefit. Officer Barrezueta presented an oral motion to withdrawn his claim.

The Board accepts the motion to withdraw the claim for benefits and will forward a letter to the Chicago Police Department that the claim is withdraw and this member will be applying for reinstatement to active police duty.

37

Mack, Richard

Richard Mack appeared before the Board, with counsel, on his claim for a duty disability benefit. After hearing testimony from claimant, Board's physician and reviewing the documents submitted *it was moved by Trustee Lappe, seconded by Trustee Wright, that the Board grant a duty disability benefit to Richard Mack.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 7.

Absent: Scott 1.

Against: 0.

It was moved by Trustee Maloney, seconded by Trustee Wright, that the Board grant the duty disability benefit at 75% of salary as defined in the Statute.

ROLL CALL

For: Avila, Hauser, Lappe, Maloney, Summers, Wright 6.

Absent: Scott 1.

Against: Hamburger 1.

37

Roberison, Gwenda

Gwenda Roberison appeared before the Board, with counsel, on her claim for a duty disability benefit. Officer Roberison is withdrawing her claim for disability benefits. In light of the withdrawal of claim, a letter will be directed to the Chicago Police Department Medical Section advising that there is no claim pending and the officer is seeking reinstatement to active duty. No benefits are currently being paid to Officer Roberison, no Board action required at this time.

MINUTES CONTINUED

January 29, 2015

Page 9.

The Executive Director reviewed with the Board the following matters.

- A letter is going to Springfield as part of the Fund's annual certification of ethics training by the Trustees. Such letter confirming the training is based upon the documentation submitted by the Trustees.
- Advised the Board of the WaMu MBS securities litigation, where the Fund was lead plaintiff, that the settlement has been approved for \$69 million, less fees and expenses.
- Discussion on the 'Lyondell' suit, which has been ongoing, should get disposed in some fashion. Counsel for the Board will be reviewing and negotiating the matter, with an update at a later date.
- The Fund received notice from Northern Trust that one of the Fund's securities, TESCO, is subject to some litigation. It was Board direction to 'opt in' on the litigation involving TESCO.
- Discussion and review of **Mattie Perkins-Bishop**, a compensation annuity widow, who was overpaid through administrative error, and the arrangement currently in place for reimbursement to the Fund. *It was moved by Trustee Wright, seconded by Trustee Lappe, the Board approve a reduction in the repayment from \$500 per month to \$400 per month.*

ROLL CALL

For: Hauser, Lappe, Maloney, Wright 4.

Absent: Scott, Summers 2.

Against: Avila, Hamburger 2.

- The Meeting for August 2015 investment committee meeting is Monday the 24th. The original schedule reflected Tuesday. Please mark calendars appropriately. Additionally, the October investment committee meeting has been requested to be rescheduled. A new date will be confirmed at a later Board meeting.
- Based on annual exams of disability recipients, the Board's physician has recommended additional testing to be completed as follows:

<u>Member</u>	<u>Recommended Test</u>
Lolita Brown-Johnson	IME
Jeffery Gniadek	IME
Andre Howard	IME
Neal Ivers	IME
Royland Ocasio	FCE
John Stapleton	FCE

It was moved by Trustee Maloney, seconded by Trustee Wright that the Board approve the recommendations of the Board's physician to have the IMEs and FCEs for the mentioned individuals.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

- The Executive Director requested to attend the GFOA annual conference, accompanied by the Comptroller and Assistant Comptroller, in May 2015.

It was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board grant permission to the Executive Director, Comptroller, Assistant Comptroller and all trustees who are interested in attending the GFOA annual conference for 2015.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

MINUTES CONTINUED

January 29, 2015

Page 10.

- The annual NCPERS conference is scheduled for May 2015.

It was moved by Trustee Wright, seconded by Trustee Lappe that the Board grant permission to all trustees who are interested in attending the NCPERS annual conference for 2015.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Maloney that the Board AMEND the previous motion to include granting permission to Board counsel and executive staff who are interested in attending the NCPERS annual conference for 2015.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Wright that the Board go into executive session per 2 (c) (2) for personnel matters.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Lappe that the Board exit the executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

EXECUTIVE DIRECTOR'S REPORT CONCLUDED

It was moved by Trustee Hamburger, seconded by Trustee Maloney that the Board go into executive session per 2 (c) (11) for possible litigation.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Lappe that the Board exit the executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

*It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board direct **Nancy Moreno** to have an IME completed.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

MINUTES CONTINUED

January 29, 2015

Page 11.

All business concluded for this date, January 29, 2015, *it was moved by Trustee Hamburger, seconded by Trustee Lappe that this meeting be adjourned.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.